

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, APRIL 24, 1990  
AT 9:00 A.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 10:41 a.m. The meeting was recessed by Mayor O'Connor at 12:08 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor O'Connor at 2:00 p.m. with Council Member Filner not present. The meeting was recessed by Mayor O'Connor at 4:54 p.m. Mayor O'Connor reconvened the meeting at 5:06 p.m. with Council Members Roberts, Bernhardt, Henderson, McCarty and Filner not present. A quorum was present at 5:07 p.m. with Council Members Roberts, Henderson, McCarty and Filner not present. Mayor O'Connor adjourned the meeting at 6:32 p.m. to convene the Housing Authority meeting.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

Clerk-Abdelnour (rb,tm)

FILE LOCATION: MINUTES

Apr-24-1990

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-not present
- (8) Council Member Filner-not present

Apr-24-1990

ITEM-310: WELCOMED

Welcoming a group of approximately 50 students from Florence Elementary School, accompanied by their teachers, James Van Noy and David Braun. This group will arrive at approximately 10:30 a.m.  
(District-2.)

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A014-027.)

ITEM-330:

Two actions relative to establishing the Mission Gorge Road  
(Fairmount Avenue to Zion Avenue) Underground Utility  
District:

(Navajo Community Area. District-7.)

Subitem-A: (R-90-1454) ADOPTED AS RESOLUTION R-275566

Authorizing the establishment of an Underground Utility  
District to be known and denominated as the Mission Gorge  
Road (Fairmount Avenue to Zion Avenue) Underground Utility  
District.

Subitem-B: (R-90-1455) ADOPTED AS RESOLUTION R-275567

Authorizing the expenditure of an amount not to exceed \$10,000 from CIP-37-028, Gas Tax Fund 32191, for the purpose of administering the Mission Gorge Road (Fairmount Avenue to Zion Avenue) Underground Utility District, minor City Force work and other related work.

CITY MANAGER SUPPORTING INFORMATION: The proposed district will underground the overhead utility facilities on Mission Gorge Road between Fairmount Avenue and Zion Avenue. This is a scheduled project in the calendar year 1990 Capital Improvements Program. The formation of this district will require the affected property owners to underground the portion of their utilities on their parcel prior to removal of the overhead utilities. Council Policy 800-2 provides for the use of San Diego Gas & Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners based on the length of their electrical service trench. A future resolution will establish the date for removal of overhead utilities as the undergrounding work approaches completion.  
Aud. Cert. 9000762.

FILE LOCATION: STRT K-193

COUNCIL ACTION: (Tape location: A355-389.)

Hearing began at 11:10 a.m. and halted at 11:11 a.m.

MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-331:

Matters relating to the Haley Hills project:

19900424

1. Request to subdivide a 2.68-acre site into 13 lots. In addition, the applicant is requesting a waiver not to require the undergrounding of any existing overhead utilities along Olvera Avenue or Bonita Drive. The subject property is located on Radio Court between Bonita Drive and Cervantes Avenue and is described as a

portion of Lots 52 and 53 of Las Alturas Villa sites, Map-501, in Zone SF-5000 (Southeast San Diego Planned District) within the Southeast San Diego Community Plan area.

2. A proposal to vacate portions of 58th Street north and south of Radio Court, as provided for under Section 66499.20-1/2 of the State Map Act, in conjunction with the proposed tentative map TM-89-1075.

(TM-89-1075. District-4.)

Subitem-A: (R-90-1380) ADOPTED AS RESOLUTION R-275568

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration DEP-89-1075 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-90-1821) ADOPTED AS RESOLUTION R-275569,  
GRANTED MAP

Adoption of a Resolution granting or denying the map, with appropriate findings to support Council action.

Subitem-C: (R-90-1181) ADOPTED AS RESOLUTION R-275570

Adoption of a Resolution authorizing the vacation of portions of 58th Street north and south of Radio Court as provided for under Section 66499.20-1/2 of the State Map Act.

CITY MANAGER SUPPORTING INFORMATION: The proposed vacation is associated with the tentative map for Haley Hills (TM-89-1075), which is located within the Southeast San Diego Community and situated within an SF-5,000 Zone. The tentative map proposes subdivision of a 2.68-acre site into 13 lots for residential development. The Subdivision Board recommended approval of the tentative map and street vacation on January 16, 1990.

The subject vacation totals 0.32 acres and is an unimproved 30-foot-wide right-of-way which was dedicated by subdivision in 1888. The subject vacation is not required for access or circulation. Easement reservations are not required, since all necessary easements will be provided with the final map. The tentative map will include requirements to dedicate and improve

the extension of Radio Court for access to the proposed development.

Staff review has indicated that the portions of 58th Street to be vacated are no longer required for present or prospective use and may be vacated, conditioned upon the recordation of the final map for Haley Hills (TM-89-1075).

FILE LOCATION: SUBITEMS-A&B: SUBD - HALEY HILLS; SUBITEM-C:  
DEED F-5262, STRT J-2734 DEED FY90-1

COUNCIL ACTION: (Tape location: A492-610.)

Hearing began at 11:17 a.m. and halted at 11:23 a.m.

Testimony in favor by Don Mitchell, James Schmid, and Bill Martinez.

Testimony in opposition by Reynaldo Pisano.

MOTION BY PRATT TO ADOPT STAFF RECOMMENDATIONS WHICH IS TO CERTIFY THE NEGATIVE DECLARATION DEP-89-1075, TO APPROVE THE TENTATIVE SUBDIVISION MAP, TO APPROVE THE UNDERGROUND WAIVER REQUEST, AND TO APPROVE THE VACATION OF 58th STREET. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-332: (R-90-840) ADOPTED AS RESOLUTION R-275584

Considering the protests, approving the modified map, confirming the assessments and ordering the proposed maintenance in the matter of the Linda Vista Road Landscape Maintenance District.

(Linda Vista Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: Certain public improvements are proposed for Linda Vista Road between Via de Las Cumbres and Genesee Avenue (Phase I) by constructing and landscaping raised medians and landscaping the parkway areas along each side of the street within the public right-of-way. The proposed improvements, including the landscaping and the irrigation system, are part of a street enhancement project. The construction, contingent upon the establishment of the maintenance district, is scheduled to start in February 1990 and to be completed in May 1990. The construction costs will be

paid from CIP-52-370.0. The present action is for the establishment of the district only. The landscaping improvements will be maintained by the contractor for approximately one year until July 1991 as part of the project contract. The district will be brought before the Council in July 1991 to levy assessments for the maintenance to be provided by the district starting in July 1991 for Fiscal Year 1992. The estimated cost of a full year of maintenance for the district is approximately \$75,000. The estimated number of assessable units within the district is 6,500, which corresponds to an annual unit assessment of approximately \$12.

FILE LOCATION: STRT - M-203

COUNCIL ACTION: (Tape location: B015-C056; D100-302.)

Hearing began at 11:24 a.m. and recessed at 12:08 p.m.

Testimony in opposition by Lenore Robles, Leon McMahon, Kenneth Kozachenko, Adrian Marine, Patricia Bolton-Crigger, Beverly Conkey, Donald Thoza, Lloyd Ripley, Elwood Tysor, Bill Paul, Dorothy Byrns, Ed Roth, and John Cheneg.

Hearing resumed at 2:07 p.m. and halted at 2:23 p.m.

MOTION BY BERNHARDT TO CLOSE THE HEARING, ADOPT THE RESOLUTION AND DIRECT THE CITY MANAGER TO COME FORWARD WITH A MAINTENANCE DISTRICT FOR THE USD PROPERTY. Second by Pratt. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-nay, McCarty-yea, Filner-not present, Mayor O'Connor-nay.

ITEM-333: (O-90-114) INTRODUCED, TO BE ADOPTED ON MAY 7, 1990

A proposal to amend the San Diego Municipal Code, Section 103.0526.16, Paragraph C.1 relating to the Mission Beach

Planned District Ordinance (MBPDO) to allow parking within yards abutting courts, places and Mission Boulevard for lots that used these areas for parking prior to February 1, 1979.

The proposed MBPDO amendment also constitutes an amendment to the City of San Diego's Local Coastal Program (LCP) implementing ordinances. If approved by the City Council, the proposed LCP amendment must be submitted to the California Coastal Commission for review and certification. The amendments to the ordinance and LCP would not become effective until after approval by the California Coastal

Commission.  
(District-6.)  
Introduction of an Ordinance amending the Planned District  
Ordinance.

FILE LOCATION:    --

COUNCIL ACTION:   (Tape location: A355-389.)

Hearing began at 11:10 a.m. and halted at 11:11 a.m.

MOTION BY WOLFSHEIMER TO INTRODUCE. Second by McCarty. Passed  
by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-nay, Henderson-yea,  
McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-334: (O-90-167)   INTRODUCED AND ADOPTED AS ORDINANCE  
                  O-17459 (New Series)

Introduction and adoption of an Ord. amending Ordinance  
O-17326 (New Series), as amended, entitled "An Ordinance  
Adopting the Annual Budget for the Fiscal Year 1989-90 and  
Appropriating the Necessary Money to Operate the City of  
San Diego for said Fiscal Year" by increasing the General  
Services Department No. 532 Building Division Budget by  
\$5,000 and increasing the General Fund Revenue estimates to  
account for reimbursement of Buildings Division personnel  
cost for contract administration. (BID-K1360/90)  
(District-2.)

CITY MANAGER SUPPORTING INFORMATION:   The present Point Loma  
Laboratory Building has a tremendous negative air syndrome (air

is constantly removed from the work space) created by the  
continuous operation of the chemical workstations exhaust fans.  
These chemicals are carcinogenic. In addition, the existing  
boiler does not have the capacity to supply sufficient heat and  
rectify the negative air problem. General Services/Buildings  
Division has designed a heating, ventilating and air  
conditioning system, and new reflected ceiling which includes  
lighting. This design will rectify the existing negative air  
problem and provide the tenants with ample heating and air  
conditioning for all areas in the building. Additionally, this  
project will improve the aesthetics, enhance the lighting,  
increase productivity of the tenants, furnish reserve capacity  
to handle the removal of heat in the event of adding new  
equipment and meets O.S.H.A. requirements.  
Aud. Cert. 9000763.

WU-P-90-118.

NOTE: See Item 206 on the docket of Monday, April 23, 1990, for the first public hearing.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A355-389.)

MOTION BY WOLFSHEIMER TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT. Second by McCarty. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-335: (O-90-161) INTRODUCED AND ADOPTED AS ORDINANCE  
O-17460 (New Series)

Introduction and adoption of an Ord. amending Ordinance O-17326 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1989-90 and Appropriating the Necessary Money to Operate the City for said Fiscal Year," by amending the budget to establish CIP-53-049.0, entitled "Preservative Treatment to the Torrey Pines Pedestrian Overcrossing"; directing the City Auditor and Comptroller to transfer and expend a sum not to exceed \$75,000 from Gas Tax Fund 302191 to CIP-53-049.0; authorizing the City Auditor and Comptroller, upon advice from the Administering Department, to transfer excess budgeted funds, if any, to the appropriate reserves.

(La Jolla Shores Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: This project will provide for the maintenance treatment of the Torrey Pines Road pedestrian overcrossing. This wooden structure was built in 1976 and needs maintenance work every 10 to 15 years. No preservative treatment has ever been applied to this structure since original construction.

Aud. Cert. 9000614.

NOTE: See Item 207 on the docket of Monday, April 23, 1990, for the first public hearing. Today's action is the introduction and adoption of the ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A359-389.)

MOTION BY WOLFSHEIMER TO INTRODUCE, DISPENSE WITH THE READING



AND ADOPT. Second by McCarty. Passed by the following vote:  
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,  
Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-not present,  
Mayor O'Connor-yea.

ITEM-336: TRAILED TO MONDAY, APRIL 30, 1990 AS UNFINISHED  
BUSINESS DUE TO A LACK OF EIGHT AFFIRMATIVE VOTES

Five actions relative to the Improvement of Alley Block 24,  
Morena Amended Map-809 (1911 Improvement Act):  
(Bay Park Community Area. District-6.)

Subitem-A: (R-90-1318)

Resolution of Feasibility for the Improvement of Alley  
Block 24, Morena Amended Map-809 under the provisions of  
the San Diego Municipal Code and the Improvement Act of  
1911.

Subitem-B: (R-90-1319)

Ordering the work for the Improvement of Alley Block 24,  
Morena Amended Map-809.

Subitem-C: (R-90-1320)

Approving the City Engineer's Report.

Subitem-D: (R-90-1321)

Adopting Plans and Specifications.

Subitem-E: (R-90-1322)

Inviting sealed proposals for bids.

CITY MANAGER SUPPORTING INFORMATION: The project was  
initiated by owners of 66 percent of the property area involved.  
There are no executed waivers for alley improvements. The  
petition was accepted by Council on October 24, 1988, per  
Resolution R-272147. The alley to be improved is located  
between Morena Boulevard and Chicago Street, and Jellett Street  
and Kane Street. The improvements consist of grading and paving  
of a 20-foot alley section.

FILE LOCATION: STRT D-2277

COUNCIL ACTION: (Tape location: D076-087.)

Hearing began at 2:06 p.m. and halted at 2:06 p.m.

Motion by Henderson to adopt. Second by Pratt. Failed:

Yeas-1,2,4,6,7,M. Nays-none. Not present-3,5,8.

NOTE: Eight votes required for Subitem-A. Other subitems

cannot be approved before Subitem-A is approved.

ITEM-337: (R-90-1572) CONTINUED TO MAY 1, 1990 AT 10:00 A.M.

Adoption of a Resolution officially recognizing a Community Planning Group for the Otay Mesa Community. More specifically, the City Council will consider approval of bylaws and initial membership. The map on file with the Planning Department indicates the area which could be represented by the formation of this planning group. (District-8.)

Adoption of a Resolution recognizing the Otay Mesa Community Planning Group and approving the bylaws with the provision that only the beginning group membership be as

recommended with a review by the Rules Committee in one year for update and revision.

NOTE: See Planning Department Report PDR-90-018.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: H137-151.)

Motion by Pratt to adopt. Second by Hartley. Second withdrawn. Motion by Pratt to adopt. Second by Mayor O'Connor. Motion substituted.

MOTION BY PRATT TO CONTINUE FOR ONE WEEK TO ALLOW COUNCIL MEMBER

FILNER TO BE PRESENT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-not present, Filner-not present, Mayor O'Connor-yea.

ITEM-338: (O-90-168) CONTINUED TO MAY 8, 1990 AT 2:00 P.M.

Introduction and adoption of an Emergency Interim Ordinance amending the Barrio Logan Planned District Ordinance. The proposed amendment would add a Subdistrict "E" to the existing Barrio Logan Planned District Ordinance.

Subdistrict "E" is to be placed on certain areas previously designated as Subdistricts "A", "B" and "D".

The boundaries of Subdistrict "E" are shown on the map on file with the Planning Department.

The Planning Commission directed the preparation of this Emergency Interim Ordinance in order to accommodate the Barrio Logan Redevelopment Project. The Emergency Interim

Ordinance would be in effect for a period of one year, or until permanent implementing ordinances for the Barrio Logan Redevelopment Plan are adopted and executed. (District-8.)

FILE LOCATION: LAND - Barrio Logan Planned District

COUNCIL ACTION: (Tape location: D060-072.)

MOTION BY PRATT TO CONTINUE TO MAY 8, 1990 AT THE REQUEST OF COUNCIL MEMBER FILNER TO ALLOW TIME FOR THE CITY MANAGER, THE CITY ATTORNEY AND THE PLANNING DIRECTOR TO MEET WITH THE BARRIO LOGAN PROPERTY OWNERS TO EXPLAIN THE INTENT AND RAMIFICATIONS OF THE EMERGENCY ORDINANCE. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-yea, Bernhardt-not present, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-339: CONTINUED TO JULY 24, 1990 AT 2:00 P.M.

(Continued from the meeting of November 21, 1989, Item 343, at Council Member Struiksma's request, to allow Mr. De la Fuente to meet with the Planning Department.)

Matters concerning Lots 1 and 2 of Fashion Ridge, Map-11871, portions of Lots 2, 3 and 5, Pueblo Lot 1174, Map-141; and Lot 1, Mission Valley Ball Park (approximately 9.9 acres), located on the northwest corner of Friars Road and Ulric Street, in the Linda Vista Community Plan area and within the Mission Valley Development Intensity Regulatory Overlay District (Ord. No. 0-16460).

- 1) Rezoning the above described real property from Zone CO (HR/FPF) to Zone CA (HR/FPF);
- 2) Amending the Linda Vista Community Plan on the above described real property;
- 3) Amending the Mission Valley Community Plan and Development Intensity Regulatory Overlay District Ordinance on the above described real property;
- 4) Appeals of D' & D' Partnership, by Roque de la Fuente II, from the decision of the Planning Commission in denying:
  - a) Planned Commercial Development Permit PCD-85-0643 proposing a mixed-use development comprised of 275,420 square feet of office use, 116 hotel rooms, 24,000 square feet of retail, 13,250 square feet of restaurant, 23,200 square feet of recreation uses and

seven residential units; and  
b) Tentative Map TM-85-0643 (Loma Linda Vista)  
proposing a 4-lot subdivision on the above described  
real property.

(Case, PCD & TM-85-0643. District-5.)

Subitem-A: (R-90- )

Adoption of a Resolution certifying that the information  
contained in Environmental Impact Report EIR-85-0643 has  
been completed in compliance with the California  
Environmental Quality Act of 1970 and State guidelines, and  
that said report has been reviewed and considered by the  
Council and adopting appropriate findings of mitigation,  
feasibility or project alternatives and statement of  
overriding considerations pursuant to California Public  
Resources Code Section 21081.

Subitem-B: (O-88-139)

Introduction of an Ordinance for CA Zoning.

Subitem-C: (R-88-2029)

Adoption of a Resolution denying the Linda Vista Community  
Plan, the Mission Valley Community Plan and the Development  
Intensity Regulatory Overlay District Ordinance.

Subitem-D: (R-90- )

Adoption of a Resolution granting or denying the appeal and  
granting or denying the permit with appropriate findings to  
support Council action.

Subitem-E: (R-90- )

Adoption of a Resolution granting or denying the appeal and  
granting or denying the map with appropriate findings to  
support Council action.

FILE LOCATION: Subitems-A&C - LAND - Linda Vista Community  
Plan and Mission Valley Community Plan  
Subitem-B - -  
Subitem-D - PERM - PCD-85-0643  
Subitem-E - SUBD - Loma Linda Vista

COUNCIL ACTION: (Tape location: D042-060; D311-405.)

MOTION BY BERNHARDT TO CONTINUE FOR NINETY DAYS AT THE REQUEST  
OF J. LUIS ANDREW, THE APPLICANT, TO ALLOW TIME FOR HIM TO WORK  
WITH STAFF ON A REDESIGN OF THE PROJECT. Second by Pratt.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-nay.

ITEM-340: CONTINUED TO MAY 8, 1990 AT 2:00 P.M.

Approval of the following amendments related to the State Route 56 West and Carmel Valley Restoration and Enhancement Project:

- 1) Amendment to the North City West Neighborhoods 4 and 8 Precise Plans;
- 2) Amendment to the North City West Community Plan;
- 3) Amendment to the North City West Planned District Ordinance;
- 4) Amendment to the Sorrento Hills Community Plan;
- 5) Amendment to the Progress Guide and General Plan; and

- 6) Amendment to the North City Local Coastal Program Land Use Plan, to include the Carmel Valley and Los Penasquitos Lagoon Restoration and Enhancement Plan(s).

The subject properties are located east of the I-5 Freeway, in the Carmel Valley region of the North City West and Sorrento Hills communities. The properties are legally described as a portion of Sections 19-21 and 30, Township 14 South, Range 3 West, SBBM; a portion of Section 25, Township 14 South, Range 4 West, SBBM; Parcels 2 and 3, Parcel Map PM-11968; Lot 1, Church Sub, Unit 1A, Map-5999; Lot 1, Carmel Corner, Map-7226; Parcel A, Pardee Visitor Center, Map-11479; Parcels 10-13, 15 and 18, Parcel Map PM-4460; Carmel Valley Village, Units 1-3, Map-11610, Map-11948 and Map-12264; and a portion of Parcel 2, Parcel Map PM-14873.

The proposed amendments also constitute an amendment to the City of San Diego's Local Coastal Program. If approved by the City Council, the proposed Local Coastal Program Amendment must be submitted to the California State Coastal Commission for review and final approval. The proposed Local Coastal Program amendment would not become effective until after approval by the California Coastal Commission. (District-1.)

Subitem-A: (R-90-1692)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-89-0218 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and

that said report has been reviewed and considered by the Council; and adopting a mitigation monitoring and reporting program and appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081.

Subitem-B: (O-90-171)

Introduction of an Ordinance amending the North City West Planned District Ordinance.

Subitem-C: (R-90-1693)

Adoption of a Resolution approving or denying the amendments to the North City West Neighborhoods 4 and 8 (NCW Development Units 4, 5, 6 and 8) Precise Plans; North City West and Sorrento Hills Community Plans; North City

Local Coastal Program to include the adoption of the Carmel Valley Restoration and Enhancement Program (CVREP) and the Los Penasquitos Lagoon Enhancement Plan; and the Progress Guide and General Plan.

FILE LOCATION: Subitem-A - LAND-North City West  
Neighborhoods 4&8 Precise Plan  
Subitem-B - -  
Subitem-C - LAND-North City West  
Neighborhoods 4&8 Precise Plan and  
North City West and Sorrento Hills Community  
Plans

COUNCIL ACTION: (Tape location: D405-H137; H151-J165.)

Hearing began at 2:31 p.m and recessed at 4:54 p.m.

Council Member Henderson left at 3:18 p.m. and returned at 5:42 p.m.

Council Member Roberts left at 4:23 p.m.

Testimony in favor by Jeff Stevens, Gail MacLeod, Al Graff, Matthew Papuga, Sheila Mahon, Jim Whalen, Arthur Michel, Robert Mitchell, Bill Morris, Cheryl Cox, Andy Schlaefli, Walter Heiberg, David Brown, Frank Antonio, Henry Freet, Francine Nadey, Kevin McNamara, Robert Imler, Nancy Gruber, Sandi Adame, Ralph Jungk, Marilyn Brown, Sally Morrow, Anne Dash, Linda Brannen, John Keating, John Hanson, Bill Hauf, Jim Marcotte and Gayle Schnorr.

Testimony in opposition by Opal Trueblood, Jerry Farmer, Bill Watson, Jay McGuerty, Mr. & Mrs. Jessie Grange, Maurie Brown, Richard Ware, Marcia Tremblay, Donald Ross, Guy Russo, Jane

Schnall, Nancy Ross, Leonard Pollard II, Dr. John Northrop, Gerry Soifer, Nancy Bushnell, Adrian Marine, Pam Donnelley, Gary Groesbeck, Ben Nyce, Lynn Benn, Howard Kipnis, Dr. Victoria Bradshaw, Janet Brauneis, Ed Vassel, John Dean, Julie Blevins, Gerald Tracey, Mary MacLeod, Nadia Hagen, Athena Hagen, Cruz Gingiloski, John Gingiloski, Jane Fyer, Karen Scarborough, Denise Ross, Jean Wilson, Ruben Herbias, Myrna Herbias, Gary Adest, Ph.d, Charles Foster, Dorothy Knox, Fiona King, Freda Reid, Barbara Stegman, LaMar Wright, Marla Jensen, Mary Del Wright, Ann Dempsey, Nelda Smart, Jacqueline Winterer, Susan Carnevale, Mary Ann McCarty, Earl Maas, Aras Fromme, John Cihak, Nigel Crawford, Joe Kalata, Joanne Hughson, Mary Ann Bierolt, Linda Michael, Deanna Rich, Bruce Beach, Jacqueline Sussman, Drene Levinson, Richard Alan Stone, David Hogan, Nancy Moore, Kaaren Kerlin, Carol Young, Karen Lane, Jim Votan, Jan McMillan, Karen Lockwood, Kristine Lorenz, David Hooper, Michele Belmore,

Janis Maloy, Edna Garlock, Dick Garlock, Pat Dunlap, Wayne Dunlap, Norma Sullivan, Robert Brenner, Joe Feldman, Nomi Feldman, Jozann Knittel, Cynthia Gayle, Sally Pollack, Rose Gurk, Kathy Guby, Susan Farmer, Monica Myrtle, Jacqueline Schenz, George Wilson, Babak Bijarghi, Minoy Scaramo, Bill Schwenker, David Aronson and Rick Reeves.

Hearing resumed at 5:10 p.m. and halted at 6:32 p.m.

Council Member Hartley left at 6:09 p.m.

**MOTION BY WOLFSHEIMER TO CLOSE THE HEARING AND CONTINUE FOR TWO WEEKS TO ALLOW TIME FOR HER TO TAKE A TRIP TO THE SITE AND MEET WITH STAFF FOR A POSSIBLE RE-DESIGN. Second by Henderson.**

Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-not present, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-nay, Filner-not present, Mayor O'Connor-yea.

**ITEM-S403: (R-90-1569) ADOPTED AS RESOLUTION R-275564**

(Trailed as Unfinished Business from the meeting of Monday, April 16, 1990, Item 152B, due to lack of five votes.)

Certifying that the information contained in Environmental Impact Report EIR-89-0617, issued in connection with the State Ocean Plan Compliance Project, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and the Report and the Mitigation Monitoring and Reporting Program have been reviewed and considered by the Council.

(See City Manager Report CMR-90-157 and Committee

Consultant Analysis PSS-90-4. Peninsula Community Area.  
District-2.)

COMMITTEE ACTION: Reviewed by PSS on 4/4/90. Recommendation to certify the EIR and direct the City Manager to convey to the Regional Water Quality Control Board the City Council's desire to renegotiate an extension of time to comply with the State Ocean Plan and to pursue the restriction of diving in the kelp beds. Districts 2, 3 and 4 voted yea. Districts 5 and 7 not present.

WU-CWP-90-140.

NOTE: See Item S402 for a companion item.

FILE LOCATION: WATER - Point Loma Wastewater Treatment  
Plant

COUNCIL ACTION: (Tape location: A390-481.)

MOTION BY ROBERTS TO APPROVE STAFF RECOMMENDATIONS TO CERTIFY THE E.I.R. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-nay, Pratt-yea, Bernhardt-nay, Henderson-nay, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-S408: (R-90-1696 Rev.1) ADOPTED AS AMENDED AS RESOLUTION  
R-275565

19900424

Declaring that the Housing Trust Fund Board of Trustees may make final funding commitments not to exceed \$500,000 provided, however, that actions of the Board involving the commitment of not to exceed \$500,000 shall not be final until seven days after action by the Board. A review of such Board action by the Housing Commission shall be required if during the seven days after the Board action, any member of the Commission requests by written notice to the Executive Director that the Commission review the matter. In such case, the matter shall not be deemed to be final, shall be placed on the agenda of the next meeting of the Commission and may be subject to approval, denial or modification by the Commission. If, after reviewing the



Board action, the Commission does not approve the action of the Board, it shall state its reasons in writing to the Board; declaring that any final actions of the Board may be appealed to the Commission by any affected parties by written request to the Board or Commission, according to rules and procedures to be established and published by the Commission.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A096-354.)

MOTION BY PRATT TO ADOPT AS AMENDED, CHANGING THE LANGUAGE IN THE FOURTH PARAGRAPH OF THE RESOLUTION TO READ: "... SHALL NOT BE FINAL UNTIL FOURTEEN (14) DAYS AFTER ACTION BY THE BOARD. A REVIEW OF SUCH BOARD ACTION BY THE HOUSING COMMISSION SHALL BE REQUIRED IF DURING THE FOURTEEN (14) DAYS AFTER THE BOARD ACTION, ANY MEMBER OF THE COMMISSION OR THE SAN DIEGO HOUSING AUTHORITY REQUESTS BY WRITTEN NOTICE ...." Second by Bernhardt.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-S500:

(Continued from the meeting of April 16, 1990, Item 120A and C, at Jerry Mailhot's request, representing Carmel Valley Coalition.)

Two actions relative to the final subdivision map of Carmel Valley Neighborhood 4 Unit No. 9, a 78-lot subdivision located northeasterly of Carmel Knolls Drive and Ashley Falls Drive:

(North City West Community Area. District-1.)

Subitem-A: (R-90-1513) ADOPTED AS RESOLUTION R-275571

Authorizing the execution of a Subdivision Improvement Agreement with Village Properties for the installation and completion of public improvements.

Subitem-B: (R-90-1514) ADOPTED AS RESOLUTION R-275572

Approving the acceptance by the City Manager of a grant deed of Village Properties, granting to the City Lots 77 and 78, Carmel Valley Neighborhood 4, Unit 9.

FILE LOCATION: SUBITEM-A: SUBD - Carmel Valley Neighborhood  
4 Unit No. 9, SUBITEM-B: DEED F-5247  
CONT FY90-1, DEED FY90-1

COUNCIL ACTION: (Tape location: A355-389.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-S501: (R-90-1488) ADOPTED AS RESOLUTION R-275573

(Continued from the meeting of April 16, 1990, Item 122A, at Jerry Mailhot's request, representing Carmel Valley Coalition.)

Authorizing the execution of a Subdivision Improvement Agreement with American Newland Associates for the installation and completion of public improvements in Sorrento Hills Corporate Center Phase I, Unit No. 2, a 2-lot subdivision located southeasterly of Carmel Mountain Road and El Camino Real.

(Sorrento Hills Community Area. District-1.)

FILE LOCATION: SUBD - Sorrento Hills Corporation Center  
Phase I, Unit No. 2 CONT FY90-1

COUNCIL ACTION: (Tape location: A355-389.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-S502: (R-90-1490) ADOPTED AS RESOLUTION R-275574

(Continued from the meeting of April 16, 1990, Item 123A, at Jerry Mailhot's request, representing Carmel Valley Coalition.)

Authorizing the execution of a Subdivision Improvement Agreement with American Newland Associates for the

installation and completion of public improvements in  
Sorrento Hills Corporate Center Phase II - Unit No. 1, a  
14-lot subdivision located southeasterly of Carmel Mountain  
Road and El Camino Real.  
(Sorrento Hills Community Area. District-1.)

FILE LOCATION: SUBD - Sorrento Hills Corporation Center  
Phase II - Unit No. 1 CONT FY90-1

COUNCIL ACTION: (Tape location: A355-389.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty. Passed by  
the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea,  
Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-not  
present, Mayor O'Connor-yea.

ITEM-S503:

(Continued from the meeting of April 16, 1990, Item 124A,  
C and D, at Jerry Mailhot's request, representing Carmel  
Valley Coalition.)

Three actions relative to the final subdivision map of  
Sorrento Hills Corporate Center Phase II - Unit No. 2, a  
15-lot subdivision located southeasterly of Carmel Mountain  
Road and I-5:

(Sorrento Hills Community Area. District-1.)

Subitem-A: (R-90-1543) ADOPTED AS RESOLUTION R-275575

Authorizing the execution of a Subdivision Improvement  
Agreement with American Newland Associates (Newland  
California), for the installation and completion of public  
improvements.

Subitem-B: (R-90-1544) ADOPTED AS RESOLUTION R-275576

Approving the acceptance by the City Manager of a street  
deed of Harry G. Cooper, granting to the City an easement  
for public street purposes in the Northwest Quarter,  
Section 31, Township 14 South, Range 3 West, San Bernardino  
Meridian; dedicating said land as and for a public street,  
and naming the same Sorrento Hills Boulevard.

Subitem-C: (R-90-1545) ADOPTED AS RESOLUTION R-275577

Approving the acceptance by the City Manager of an Offer to

Dedicate of Harry G. Cooper, for a public street  
reservation in the Northwest Quarter, Section 31, Township  
14 South, Range 3 West, San Bernardino Meridian.

FILE LOCATION: SUBITEM-A: SUBD - Sorrento Hills Corporation  
Center Phase II - Unit No. 2, SUBITEM-B:  
DEED F-5248, SUBITEM-C: DEED F-5249  
CONT FY90-1, DEED FY90-2

COUNCIL ACTION: (Tape location: A355-389.)  
MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty Passed by  
the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea,  
Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-not  
present, Mayor O'Connor-yea.

ITEM-S504: (R-90-1492) ADOPTED AS RESOLUTION R-275578

(Continued from the meeting of April 16, 1990, Item 125A,  
at Jerry Mailhot's request, representing Carmel Valley  
Coalition.)  
Authorizing the execution of a Subdivision Improvement  
Agreement with American Newland Associates for the  
installation and completion of public improvements in  
Sorrento Hills Corporate Center Phase II - Unit No. 3, a  
20-lot subdivision located adjacent to Carmel Mountain Road  
and Sorrento Hills Boulevard.  
(Sorrento Hills Community Area. District-1.)

FILE LOCATION: SUBD - Sorrento Hills Corporate Center Phase  
II - Unit No. 3 CONT FY90-1

COUNCIL ACTION: (Tape location: A355-389.)  
MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty. Passed by  
the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea,  
Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-not  
present, Mayor O'Connor-yea.

ITEM-S505:  
(Continued from the meeting of April 16, 1990, Item  
126A,C,D,E, at Jerry Mailhot's request, representing Carmel  
Valley Coalition.)  
Four actions relative to the final subdivision map of  
Sorrento Hills Corporate Center Phase II - Unit No. 6, a  
6-lot subdivision located southeasterly of Carmel Mountain

Road and I-5:

(Sorrento Hills Community Area. District-1.)

Subitem-A: (R-90-1547) ADOPTED AS RESOLUTION R-275579

Authorizing the execution of a Subdivision Improvement Agreement with American Newland Associates (Newland California), for the installation and completion of public improvements.

Subitem-B: (R-90-1548) ADOPTED AS RESOLUTION R-275580

Approving the acceptance by the City Manager of a street easement deed of San Diego Gas and Electric Company, granting to the City an easement for public street purposes in the Northwest Quarter of Section 32, Township 14 South, Range 3 West, San Bernardino Meridian; dedicating said land as and for a public street and naming the same Sorrento Hills Boulevard.

Subitem-C: (R-90-1549) ADOPTED AS RESOLUTION R-275581

Approving the acceptance by the City Manager of an Offer to Dedicate of San Diego Gas and Electric Company, irrevocably offering to the City a public street reservation in the Northwest Quarter of Section 32, Township 14 South, Range 3 West, San Bernardino Meridian.

Subitem-D: (R-90-1550) ADOPTED AS RESOLUTION R-275582

Setting aside an easement for drainage purposes in a portion of City-owned land, being a portion of the Southwest Quarter of the Northwest Quarter of Section 32, Township 14 South, Range 3 West, San Bernardino Meridian.

FILE LOCATION: SUBITEM-A: SUBD - Sorrento Hills Corporate Center Phase II - Unit No. 6, SUBITEM-B: DEED F-5250, SUBITEM-C: DEED F-5251, SUBITEM-D: DEED F-5252 CONT FY90-1, DEED FY90-3

COUNCIL ACTION: (Tape location: A355-389.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea,

Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-S506: (R-90-1494) ADOPTED AS RESOLUTION R-275583

(Continued from the meeting of April 16, 1990, Item 127A, at Jerry Mailhot's request, representing Carmel Valley Coalition.)

Authorizing the execution of a Subdivision Improvement Agreement with American Newland Associates for the installation and completion of public improvements in Sorrento Hills Corporate Center Phase II - Unit No. 7, a 44-lot subdivision located northeasterly of Carmel Mountain Road and Sorrento Hills Boulevard.  
(Sorrento Hills Community Area. District-1.)

FILE LOCATION: SUBD - Sorrento Hills Corporate Center Phase II - Unit No. 7 CONT FY90-1

COUNCIL ACTION: (Tape location: A355-389.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

By common consent, the meeting was adjourned by Mayor

O'Connor at 6:32 p.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: J165).